

REMARKS

The application has been amended to insert the required reference to the parent application, for which benefit is claimed, of this new continuing application.

Applicants also submit new Figures 15-21 to represent the information deleted in pages 86-100 of the Substitute Specification. In addition, Applicants submit amendments to the specification, adding paragraphs [045] to [051], to provide description of these new Figures. In the description of Figures 15-16, the terms "an amino acid sequence encoded by the Tc45 gene" is supported in paragraph [008] and "with markings as described for Figure 2" is supported in paragraph [029]. In the description of Figures 17-21, the terms "a nucleic acid sequence of the Tc45 gene" is supported in paragraph [009] and "with markings as described for Figure 5" is supported in paragraph [032]. Therefore, these amendments to the specification do not add new matter, and do not raise new issues. Applicants respectfully request that this Preliminary Amendment be entered and the requested changes made.

Finally, new claims 79-82 are derived from original claims 3-5, 7-9, 27, and 37, and therefore do not add new matter.

Please grant any extensions of time required to enter this paper and charge any additional required fees to our deposit account 06-0916.

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP

1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com

Continuation Application of Application Serial No.: 09/725,945
Attorney Docket No: 03495-0200-01000

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: September 16, 2003

By: _____



Deborah Katz

Reg. No. 51,863

Phone (202) 408-4382

Fax: (202) 408-4400

E-mail: deborah.katz@finnegan.com

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP

1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com